

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

S. 231

To direct the Administrator of the Federal Emergency Management Agency to develop guidance for firefighters and other emergency response personnel on best practices to protect them from exposure to PFAS and to limit and prevent the release of PFAS into the environment, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Firefighters
5 from Adverse Substances Act” or the “PFAS Act”.

6 **SEC. 2. GUIDANCE ON HOW TO PREVENT EXPOSURE TO**
7 **AND RELEASE OF PFAS.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of enactment of this Act, the Administrator of the
10 Federal Emergency Management Agency, in consultation

1 with the Administrator of the United States Fire Adminis-
2 tration, the Administrator of the Environmental Protec-
3 tion Agency, the Director of the National Institute for Oc-
4 cupational Safety and Health, and the heads of any other
5 relevant agencies, shall—

6 (1) develop and publish guidance for firefighters
7 and other emergency response personnel on training,
8 education programs, and best practices to—

9 (A) reduce and eliminate exposure to per-
10 and polyfluoroalkyl substances (commonly re-
11 ferred to as “PFAS”) from firefighting foam
12 and personal protective equipment; and

13 (B) prevent the release of PFAS from fire-
14 fighting foam into the environment;

15 (2) develop and issue guidance to firefighters
16 and other emergency response personnel on foams
17 and non-foam alternatives, personal protective equip-
18 ment, and other firefighting tools and equipment
19 that do not contain PFAS; and

20 (3) create an online public repository, which
21 shall be updated on a regular basis, on tools and
22 best practices for firefighters and other emergency
23 response personnel to reduce, limit, and prevent the
24 release of and exposure to PFAS.

1 (b) REQUIRED CONSULTATION.—In developing the
2 guidance required under subsection (a), the Administrator
3 of the Federal Emergency Management Agency shall con-
4 sult with appropriate interested entities, including—

5 (1) firefighters and other emergency response
6 personnel, including national fire service and emer-
7 gency response organizations;

8 (2) impacted communities dealing with PFAS
9 contamination;

10 (3) scientists, including public and occupational
11 health and safety experts, who are studying PFAS
12 and PFAS alternatives in firefighting foam;

13 (4) voluntary standards organizations engaged
14 in developing standards for firefighter and fire-
15 fighting equipment;

16 (5) State fire training academies;

17 (6) State fire marshals;

18 (7) manufacturers of firefighting tools and
19 equipment; and

20 (8) any other relevant entities, as determined
21 by the Administrator of the Federal Emergency
22 Management Agency and the Administrator of the
23 United States Fire Administration.

24 (c) REVIEW OF GUIDANCE.—Not later than 3 years
25 after the date on which the guidance required under sub-

1 section (a) is issued, and not less frequently than once
2 every 2 years thereafter, the Administrator of the Federal
3 Emergency Management Agency, in consultation with the
4 Administrator of the United States Fire Administration,
5 the Administrator of the Environmental Protection Agen-
6 cy, and the Director of the National Institute for Occupa-
7 tional Safety and Health, shall review the guidance and,
8 as appropriate, issue updates to the guidance.

9 (d) APPLICABILITY OF FACA.—The Federal Advi-
10 sory Committee Act (5 U.S.C. App.) shall not apply to
11 this Act.